

MESSAGE NO: 3310208 MESSAGE DATE: 11/06/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-357-804

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/29/1991 TO 08/31/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR SILICON METAL FROM ARGENTINA
PRODUCED BY SILARSA (A-357-804)

MESSAGE NO: 3310208

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CASES: A - 357 - 804

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PERIOD COVERED: 03 29 1991 TO 08 31 1992

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR SILICON METAL FROM
ARGENTINA PRODUCED BY SILARSA (A-357-804)

1. FOR ALL SHIPMENTS OF SILICON METAL FROM ARGENTINA PRODUCED BY SILARSA, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 03/29/1991 THROUGH 08/31/1992, ASSESS AN ANTIDUMPING LIABILITY OF 24.62 PERCENT OF THE ENTERED VALUE, UNLESS PARAGRAPH 2 IS APPLICABLE.

2. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF MERCHANDISE DESCRIBED IN PARAGRAPH 1 THAT WAS ENTERED, OR WITHDRAWN FROM

WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 03/29/1991 THROUGH 09/24/1991, ASSESS A DUMPING LIABILITY EQUAL TO 24.62 PERCENT OF THE ENTERED CUSTOMS VALUE OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF SILICON METAL FROM ARGENTINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS

INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, U.S. CUSTOMS AND BORDER PROTECTION SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE

THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, U.S. CUSTOMS AND BORDER PROTECTION SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR

29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, U.S. CUSTOMS AND BORDER PROTECTION SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G3O8:SB).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party